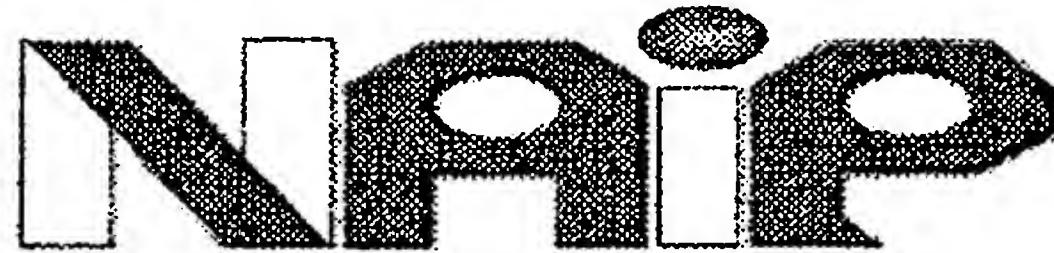


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Art Unit: 2186**

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From: Winston Hsu, Registration No. 41,526

Serial No.: 10/605,030

Attorney Docket No.: MTKP0014USA

Subject: Response to the Office Action mailed on 09/09/2005

Total Pages: 34 pages (including cover page)

Winston Hsu 12/08/2005

MTKP0014USA0_A2_1

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

33

| | |
|----------------------|-------------------|
| Application Number | 10/605,030 |
| Filing Date | 09/03/2003 |
| First Named Inventor | Yung-Chun Lei |
| Art Unit | 2186 |
| Examiner Name | Stephen C. Elmore |

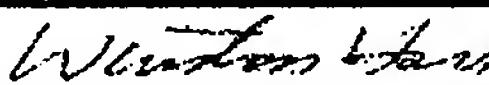
Attorney Docket Number

MTKP0014USA

ENCLOSURES (Check all that apply)

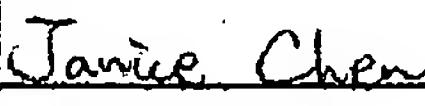
| | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | North America Intellectual Property Corporation | | |
| Signature |  | | |
| Printed name | Winston Hsu | | |
| Date | 12/08/2005 | Reg. No. | 41,526 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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|-----------------------|--|
| Signature |  |
| Typed or printed name | Janice Chen |
| | Date |
| | 12/08/2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
For FY 2005**

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **0.00**
Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 10/605,030 |
| Filing Date | 09/03/2003 |
| First Named Inventor | Yung-Chun Lei |
| Examiner Name | Stephen C. Elmore |
| Art Unit | 2186 |
| Attorney Docket No. | MTKP0014USA |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
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Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <u>Application Type</u> | <u>FILING FEES</u> | | <u>SEARCH FEES</u> | | <u>EXAMINATION FEES</u> | | <u>Fees Paid (\$)</u> |
|-------------------------|--------------------|---------------------|--------------------|---------------------|-------------------------|---------------------|-----------------------|
| | <u>Fee (\$)</u> | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u> | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent 50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent 200 100

Multiple dependent claims 360 180

| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u> | |
|----------------------|--|-----------------|----------------------|----------------------------------|-----------------|
| | - 20 or HP = | x | = | <u>Fee (\$)</u> | <u>Fee (\$)</u> |
| | HP = highest number of total claims paid for, if greater than 20 | | | 50 | 25 |
| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | 200 | 100 |

- 3 or HP = Extra Claims Fee (\$) Fee Paid (\$)
 HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|-----------------|----------------------|
| - 100 = | / 50 = | (round up to a whole number) | x | = |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other:

SUBMITTED BY

| | | | |
|-------------------|------------------------|---|-------------------------------|
| <u>Signature</u> | <i>Winston Hsu</i> | <u>Registration No.</u> 41,526 <u>(Attorney/Agent)</u> | <u>Telephone</u> 302-729-1562 |
| Name (Print/Type) | <u>Date</u> 12/08/2005 | | |

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**SYSTEM AND METHOD FOR UPDATING FIRMWARE IN A NON-VOLATILE
MEMORY WITHOUT USING A PROCESSOR**

Appl. No. : 10/605,030 Confirmation No. 2029
Applicant : Yung-Chun Lei,
 Chun-Nan Lin
Filed : September 3, 2003
TC/A.U. : 2186
Examiner : Stephen C. Elmore
Docket No. : MTKP0014USA0
Customer No. : 27765

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

INTRODUCTORY COMMENTS

- 5 In response to the Office action of September 09, 2005, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper and include a replacement specification beginning on page 5.

- 10 Amendments to the Claims are reflected in the listing of claims which begins on page 18 of this paper.

Amendments to the Drawings begin on page 23 of this paper and include an attached replacement sheet.

Remarks begin on page 24 of this paper.